

Warren Zoning Board
Minutes
July 18, 2012

The regular meeting of the Warren Zoning Board was called to order at 7:00 pm by Chairman M. Gerhardt. Also present: A Harrington, Vice Chairman, P. Attemann, S. Calenda, A. Ellis and M. Smiley.

APPROVAL OF MINUTES – M. Gerhardt recommended that the consideration of the minutes of June 20, 2012 be postponed until the August meeting. M. Gerhardt consulted with the solicitor in regard to future minutes and it is allowable for M. Gerhardt to review the minutes before they are issued. M. Gerhardt makes a motion to move the acceptance of the June minutes to the August meeting. It was moved by M. Smiley; seconded by S. Calenda. All in favor.

OLD BUSINESS - None

PUBLIC HEARINGS

Application 12-15 Carlos A Oliveira, owner, Dion Oliveira, applicant, 43 Franklin St, Plat Map 14, Lot 5

Variance from section 32-77 Residence Districts – Dimensional Requirements.

To construct a 9' x 10' addition to the front of the existing house and enclose an existing three season room.

Joe Babcott, 2 Summer St, Newport, RI, architect & designer for the applicant, reviewed plans for the expansion of the kitchen. The three season room is to be demolished and replaced, as well a front porch to be added which will be in line with the front of the house, the stairs will step out to the side as opposed to the front of the house. No public comment.

It was moved by P. Attemann to approve application 12-15 Carlos Oliveira, owner, Dion Oliveira, applicant, of 43 Franklin Street, to approve the plans to construct a 9' x 10' porch addition to the side of the existing house and convert the existing three season room into a kitchen using the exact same footprint of the existing structure. Seconded by S. Calenda. All in favor.

Application 12-16 Farmstead Mercantile, LLC, applicant, Michael Bernardo, owner, 384 Market Street, Plat Map 23, Lot 13

Variance from section 32-112 (D) Nonconforming signs.

To replace the existing non-conforming free-standing sign with a larger sign in a different configuration.

The applicant, Jonathan Stone, a member of the LLC, presented a request to remove the existing sign, "Bradford Mercantile", from the right side of the building and to re-face the "Welcome" sign. There was discussion that the presentation did not concur with the submitted application. The applicant is asked if they would like to move forward with this application or if they wish to have the application continued and amend it. Applicant asked for consideration the application be delayed so he might consider the options.

The applicant requested the board proceed with the current application. There was discussion of the size and make up of each current and proposed sign. There was no public comment on this application.

It was moved by P. Attemann to approve Application 12-16 Farmstead Mercantile of 384 Market Street, proposing to replace the existing free standing nonconforming sign with a larger sign with a different configuration, approximate differential to be 1 ½ sq. ft. larger, property is in an R30 Zoning District. Second by A. Harrington. All in favor. Any additional signage that does not conform to the ordinance or the policies of the Building Official will require another application.

Application 12-17 John Valerio, applicant, Water Street Warren, LLC, owner, 279 Water Street, Plat Map 4, Lot 96 384

Special Use Permit – Section 32-51

To operate a café'/restaurant out of an existing building.

Applicant requests approval to operate a café to sell crepes, coffee and desserts. There is to be seating for six (6) on the porch. Additional seating will be offered outside, picnic tables on ground level, on the property of the owner. Total seating will be no more than 30. This is to be a year round business with handicap accessibility. Hours of operation requested are to be from approximately 6:00am - 10:00 pm. There are not additional signage requests. There is a dumpster available on the property.

Public comment - Russell Goyette, owner of Trafford Restaurant states they will work together on parking spaces and foresee no issues.

It was moved by A. Harrington, to approve Application 12-17 with the following conditions, the hours of operation do not exceed 6:00 am to 10:00 pm, the maximum amount of seating to be provided will be 30 seats, on the porch and the west area which are to be contained within the property lines, there will be at least six (6) parking spaces available by cafe patrons, there will be directional signage for restrooms and handicap restrooms. He finds of the proposed use is compatible with neighborhood land uses, will not cause any nuisance or hazards, consistent with the uses in this area and compatible with the comprehensive community plan.

Seconded by M. Smiley. All in favor.

APPLICATION 12-18 Odaltino M. & Maria Moniz, owners, Franklin Development LLC., applicants, 226 Franklin St/Jeffrey St, Plat Map 13A, Lots 2,3,4,5,6 & 7.

Special Use Permit – Section 32-112(E) Off-premises signs

To install a 2' x 3' off-premises sign on the side of an existing commercial building.

Applicant is requesting a 2' x 3' sign onto a building that has existing signage, located in a residential district, however the sign is to installed on to a commercial building, an auto body shop. No public comment.

It is moved by A Harrington, application 12-18, the request for relief from section E1, prohibition of off-premises signs in all residential districts, that relief be granted, on a finding that while this is to be located in technically a residential district, the off-premises sign are to be placed on property that is an obvious commercial use as an auto body shop, on a commercial street, there are no incidents of residential activity in the area that would be protected by the purposes of this probation. Therefore it is moved to grant relief from the section 32-122 E and proceed to analyze this as a request for a special use permit. Second by S. Calenda

2 in favor to approve (S. Calenda and A. Harrington) 3 opposed (M. Gerhardt, P. Attemann and M. Smiley) the Motion fails.

It is moved by A. Harrington to approve the Special Use Permit, Application 12-18, as requested in the application. Second by S. Calenda. 1 in favor to approve (S. Calenda). 4 opposed (P. Attemann, A. Harrington, M. Gerhardt and M. Smiley) Motion fails.

ADMINISTRATIVE MATTERS

COUNTYWIDE GOLD – Status report update to be heard at the August 15, 2012 meeting

DARLINGTON HOBBIES – Status on non conforming sign and review of prior Special Use Permit decision to be heard at the August 15, 2012 meeting.

LIASON LETTER - To be written by M. Gerhardt and conveyed to the Board

ADJOURN

It was moved by A. Harrington to adjourn the meeting at 8:50 pm. Seconded by P. Attemann. All in favor.
Adjourned

Respectfully submitted,

Rhonda Lee Fortin
Secretary

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